

ENTERED

July 30, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

ALVARO VILLANUEVA, CYNTHIA
VILLANUEVA, AND WHITHEY
TURGEON, AS NEXT FRIEND OF
A.V., III, A MINOR CHILD

Plaintiffs.

V.

UNITED STATES OF AMERICA

Defendant.

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CIVIL ACTION NO. 5:20-CV-21

ORDER

After holding a settlement hearing on this matter, United States Magistrate Judge John A. Kazen issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(3), recommending that the Court approve the proposed settlement as it pertains to Minor Plaintiff A.V., III (Dkt. No. 29). At the close of the settlement hearing, the Parties, through their counsel, waived their right to object to the proposed findings and recommendations contained in Judge Kazen's Report (*id.* at 4). Accordingly, this Court may act on this Report immediately and reviews the proposed findings and recommendations for plain error.

Having considered the record, the Report, and the applicable law, the Court hereby **ADOPTS** the Report and Recommendation (Dkt. No. 29) as the findings and opinion of the Court. The Court hereby **APPROVES** the proposed settlement as it pertains to Minor Plaintiff A.V., III. The Clerk of Court is hereby **DIRECTED**, upon

receipt of the settlement funds for A.V., III, to deposit said funds into an interest-bearing account. A.V., III, will be entitled to withdraw settlement funds upon reaching eighteen years of age and upon the filing of a proper motion and order by the Court. Finally, the Court hereby **ORDERS** the Parties to file closing documents (i.e., a joint stipulation of dismissal pursuant to Fed. R. Civ. P. 41, signed by counsel for all Parties) no later than August 29, 2021.

It is so **ORDERED**.

SIGNED July 30, 2021.

A handwritten signature in black ink, reading "Marina Garcia Marmolejo", written over a horizontal line.

Marina Garcia Marmolejo
United States District Judge